--A HERPES SIMPLEX VIRUS TYPE 1 (HSV-1)-DERIVED VECTOR FOR SELECTIVELY INHIBITING MALIGNANT CELLS AND FOR EXPRESSING DESIRED TRAITS IN MALIGNANT AND NON-MALIGNANT MAMMALIAN CELLS--.

AW 8/19/04

At page 1, line 4, before "Background of the Invention", please insert the following: now U.S. Patent No. 6,774,119.

--This application is a division of U.S. Serial No. 09/299,817, filed on April 26, 1999,^ --.

In the Abstract, beginning at page 45, line 2, please delete the entire paragraph, and insert therefor the following:

--Disclosed is an HSV-1-derived vector containing a DNA having a functional LAT promoter, or operative fragment thereof, a deletion in both copies of the HSV-1 LAT gene, and a deletion in both copies of the HSV-1 ICP34.5 gene. The HSV-1-derived vectors are non-neurovirulent and do not spontaneously reactivate from latency, and they optionally contain a functional HSV thymidine kinase gene, which can enhance the effectiveness against cancer of drug treatment with gancyclovir or acyclovir. Alternatively, the HSV-1-derived vectors contain at least one transcriptional unit of a LAT promoter sequence operatively linked to a nucleic acid encoding a preselected protein. In some embodiments, the preselected protein is a nucleotide sequence encoding a polypeptide toxic for cells expressing the vector, for example, human interferon-γ. Also, disclosed are kits for expressing in a mammalian cell a gene encoding a preselected protein, and mammalian cells containing the HSV-derived vectors.--.

IN THE CLAIMS:

Please cancel Claims 1-119 and 179-184, without prejudice, as being directed to designated claim Groups I, II, and III, which are herein non-elected claim groups. Please cancel Claims 120-178, belonging to designated claim Group IV, without prejudice, and add new Claims 185-202.

--185. (New) An HSV-1-derived vector, comprising a DNA having at least one nucleic acid sequence defining a functional LAT promoter, or operative fragment thereof; and further having a deletion in both copies of the HSV-1 LAT gene structural region, and a deletion in both copies of the HSV-1 ICP34.5 gene, such that functional RNA transcripts encoding the LAT gene product and encoding the ICP34.5 gene product cannot be detected within a mammalian cell hosting said vector.